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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,728	12/14/2001	Joshua S. Auerbach	GB920010099US1	5443
7590	03/01/2005		EXAMINER	
IBM Corp, IP Law Dept T81/503 3039 Cornwallis Road PO Box 12195 Research Triangle Park, NC 27709-2195			BLAIR, DOUGLAS B	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/017,728	AUERBACH ET AL.	
	Examiner Douglas B Blair	Art Unit 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 14 December 2001.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-15 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent

Number 6,460,036 to Herz.

3. As to claim 1, Herz teaches a communications manager for receiving publications and forwarding said publications on to parties who have subscribed to receive such publications, said communications manager comprising: means for receiving a subscription request of a first type, said request including a filter expression having at least one attribute (col. 57, lines 6-51); means for mapping at least part of an attribute to a generic format (generic format filter attribute); means for receiving a publication message of a second type (col. 56, lines 29-48); means for comparing the publication received with the subscription request to determine whether the publication is appropriate for forwarding onto the subscriber originating the request (col. 56, line 49-col. 57, line 5), said comparing means comprising: means for identifying a generic format filter attribute; and means for mapping the generic format filter attribute to a format corresponding to the second message type, the communications manager further comprising: means for transmitting said publication to the originating subscriber (col. 56, line 49-col. 57, line 5).

4. As to claim 2, Herz teaches the communications manager of claim 1, further comprising: means for preparing the publication for transmission to said originating subscriber (col. 56, line 49-col. 57, line 5).

5. As to claim 3, Herz teaches the communications manager of claim 2, wherein said means for preparing the publication for transmission to said originating subscriber comprises: means for creating a substantially empty message of said first type (col. 56, line 49-col. 57, line 5); means for extracting information from the message of said second type (col. 56, line 49-col. 57, line 5); and means for inputting said information into said substantially empty message (col. 56, line 49-col. 57, line 5).

6. As to claim 4, Herz teaches the communications manager of claim 1, or 3, wherein said means for mapping at least part of an attribute to a generic format comprises: means for invoking a first component capable of understanding messages of said first type (col. 56, line 49-col. 57, line 5).

7. As to claim 5, Herz teaches the communications manager of any preceding claim comprising: means for storing said generic format filter attribute (col. 56, line 49-col. 57, line 5).

8. As to claim 6, Herz teaches the communications manager of any preceding claim, wherein said means for mapping a generic format filter attribute to a format corresponding to the second message type comprises: means for invoking a second component capable of understanding messages of said second type (col. 56, line 49-col. 57, line 5).

9. As to claim 7, Herz teaches the communications manager of any preceding claim, wherein said format corresponding to the second message type is held in temporary storage until said comparison is complete (col. 56, line 49-col. 57, line 5).

10. As to claim 8-15, they feature the same limitations found in claims 1-7 and are rejected for the same reasons as claims 1-7.

Claim Objections

11. Claims 5-7 and 12-15 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend upon a multi-dependent claim. See MPEP § 608.01(n). Accordingly, the claims 5-7 and 12-15 have not been further treated on the merits.

Claim Rejections - 35 USC § 101

12. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

13. Claim 15 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A program must be embodied on some form of tangible medium.

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair

DBB


DOUGLAS BLAIR EXAMINER